IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

WP(C).No. 26064 of 2007(C)

PETITIONERS:
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1. PUTHIYAPURAYIL BALAN,
S/O.KUNHIRAMAN,
RAMANTHALI AMSOM DESOM,
RAMANTHALI P.O., KANNUR DISTRICT.

2. K.K.JANAKI AMMA,
W/O APPU NAMBIAR,
RAMANTHALI AMSOM DESOM,
RAMANTHALI P.O., KANNUR DISTRICT.

3. K.V.LAKSHMI,
W/O PUTHUVAN NARAYANAN,
RAMANTHALI AMSOM DESOM,
RAMANTHALI P.O., KANNUR DISTRICT.

4. VELLACHERI MATHI,
W/O CHIRUKANDAN,
RAMANTHALI AMSOM DESOM,
RAMANTHALI P.O., KANNUR DISTRICT.

5. K.V.SAROJINI,
RAMANTHALI AMSOM DESOM,
RAMANTHALI P.O., KANNUR DISTRICT.

6. K.P.KUNHIPARVATHI AMMA,
RAMANTHALI AMSOM DESOM,
RAMANTHALI P.O., KANNUR DISTRICT.

BY ADV. SRI.M.SASINDRAN
SRI.M.V.BIPIN

RESPONDENTS:
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1. THE SPECIAL TAHSILDAR (LAND ACQUISITION)
KANNUR.

2. THE DISTRICT COLLECTOR,
KANNUR.

BY GOVERNMENT PLEADER SHRI BASANT BALAJI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C) NO. 26064 OF 2007

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1 A TRUE COPY OF THE APPLICATION FILED UNDER SECTION 28A BY THE FIRST PETITIONER BEFORE THE COLLECTOR DATED 25.5.1998.

EXHIBIT P2 A TRUE COPY OF THE ORDER DATED ISSUED BY THE FIRST RESPONDENT TO THE FIRST PETITIONER.

EXHIBIT P3 A TRUE COPY OF THE APPLICATION DATED 30.4.2001 SUBMITTED BY THE FIRST PETITIONER BEFORE THE FIRST RESPONDENT.

EXHIBIT P4 A TRUE COPY OF THE POSTAL ACKNOWLEDGMENT CARD SHOWING THE RECEIPT OF EXHIBIT P3 BY THE FIRST RESPONDENT.

EXHIBIT P5 TRUE COPY OF THE APLICATION FILED UNDER SECTION 28A BY THE SECOND PETITIONER HEREIN BEFORE THE COLLECTOR, SECOND RESPONDENT.

EXHIBIT P6 TRUE COPY OF THE ORDER DATED 5.6.2001 ISSUED BY THE FIRST RESPONDENT.

EXHIBIT P7 TRUE COPY OF THE APPLICATION DATED 20.7.2001

EXHIBIT P8 A TRUE COPY OF THE APPLICATION FILED UNDER SECTION 28A BY THE 3RD PETITIONER BEFORE THE DISTRICT COLLECTOR.

EXHIBIT P9 A TRUE COPY OF THE ORDER DATED 19.4.1999 ISSUED BY THE FIRST RESPONDENT.

EXHIBIT P10 TRUE COPY OF THE APPLICATION UNDER SECTION 28A(3).

EXHIBIT P11 TRUE COPY OF THE APPLICATION FILED BY THE 4TH PETITIONER BEFORE THE DISTRICT COLLECTOR.

EXHIBIT P12 A TRUE COPY OF THE ORDER DATED 13.12.1999 ISSUED BY THE FIRST RESPONDENT TO THE 4TH PETITIONER.

EXHIBT P13 TRUE COPY OF THE APPLICATION DATED 10.4.2000 FILED BY THE 4TH PETITIONER BEFORE THE FIRST RESPONDENT.

EXHIBIT P14 TRUE COPY OF THE APPLICATION SUBMITTED BY

THE 5TH PETITIONER'S FATHER BEFORE THE FIRST RESPONDENT.

EXHIBIT P15 TRUE COPY OF THE ORDER DATED 28.11.2003 ISSUED BY THE FIRST RESPONDENT TO THE F5TH PETITIONER'S FATHER.

EXHIIBT 16 A TRUE COPY OF THE APPLICATION DATED 20.12.2003 SUBMITTED BY THE 5TH PETITIONER ALONG WITH OTHER LEGAL HEIRS BEFORE THE FIRST RESPONDENT.

EXHIBIT P17 A TRUE COPY OF THE POSTAL ACKNOWLEDGMENT CARD SHOWING THE RECEIPT OF EXHIBIT P6 BY THE FIRST RESPONDENT.

EXHIBIT P18 A TRUE COPY OF THE APPLICATION FILED UNDER SECTION 28A BY THE 5TH PETITOINER AND OTHER BEFORE THE COLLECTOR.

EXHIBIT P19 A TRUE COPY OF THE ORDER DATED 5.6.2001 ISSUED BY THE FIRST RESPONDENT TO THE 5TH PETITIONER.

EXHIBIT P20 A TRUE COPY OF THE APPLICATIOIN DATED 30.6.2001 SUBMITTED BY THE 5TH PETITIONER AND OTHERS BEFORE THE FIRST RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

K. PADMANABHAN NAIR, J.

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W.P(C) NO. 26064 OF 2007

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Dated this the 24th day of October, 2007

J U D G M E N T

Prayer in this Writ Petition is to issue a direction to the first respondent to refer the applications filed by the petitioners under Section 28A(3) of the Land Acquisition Act to the reference court.

Learned Government Pleader, on instructions, submitted that one of the applications had already been referred and other applications will also be referred in accordance with the seniority. It is also submitted that the third petitioner has filed the reference application only in the year 2003 and that application will be referred only after disposing of the applications prior to that application.

In view of the submissions made by the learned Government Pleader, the Writ Petition is disposed of with a direction to the first respondent to pass appropriate orders in the applications filed by the petitioners as expeditiously as possible, in accordance with seniority.

K. PADMANABHAN NAIR, JUDGE.

K. PADMANABHAN NAIR, J.

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W.P(C) NO. 26064 OF 2007

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J U D G M E N T

24TH OCTOBER, 2007